

PLEA/SENTENCING/DETENTION MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT LAS CRUCES)

CR 25-1299 GBW**UNITED STATES vs. ESPINOSA-TLAXCALA**

Before The Honorable Gregory B. Wormuth, Chief United States Magistrate Judge

Hearing Date:	MAY 27, 2025	Time In and Out:	2:05-2:10 P.M./3:12-3:21 P.M. (2 MIN)	
Clerk:	KRISTIN SOLIS	Digital Recording:	LCR-ORGAN	
Defendant:	MARIA DEL ROSARIO ESPINOSA-TLAXCALA	Defense Counsel:	CHAZ ROTENBERG FOR DAVID BENATAR	
AUSA:	DEVON ARAGON MARTINEZ	Interpreter:	MARCELA RENNA/ ENITH VALDES ORTIZ	<input type="checkbox"/> Sworn <input type="checkbox"/> Waived
<input checked="" type="checkbox"/>	Defendant Sworn	<input type="checkbox"/>	First Appearance	
<input type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.			
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: Information			
<input type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.			
<input type="checkbox"/>	Terms and conditions of proposed plea agreement explained.	<input type="checkbox"/>	Defendant indicates understanding of its terms.	
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.			
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.			
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).			
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.			
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).			
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: COUNT 1 OF THE INFORMATION			
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).			
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.			
<input checked="" type="checkbox"/>	Deft adjudged guilty.			
<input type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.			
<input checked="" type="checkbox"/>	Sentence Imposed: TIME SERVED (as to count 1)			
<input checked="" type="checkbox"/>	Defendant in custody	<input checked="" type="checkbox"/>	Conditions changed to: O/R BOND	
<p>Other Matters: DEFENSE COUNSEL MOVES COURT TO RE-OPEN DETENTION HEARING AND PROFFERS IN SUPPORT OF RELEASE; GOVERNMENT OPPOSES RELEASE AND REQUESTS DEFENDANT BE DETAINED AS A FLIGHT RISK.</p> <p>COURT RULING – COURT GRANTS MOTION TO RE-OPEN; COURT STATES THAT THE REMAINING CHARGES ARE FATALLY FLAWED.</p> <p>COURT STATES, GIVEN THE WEAKNESS OF THE CASE, THE DEFENDAND SHOULD NOT BE DETAINED ANY FURTHER. COURT ORDERS DEFENDANT'S RELEASE ON OWN RECOGNIZANCE; ORDER WILL BE EFFECTIVE TOMORROW, 5/28/2025, AT 12:00 NOON.</p> <p>GOVERNMENT CAN SEEK, BUT MUST RECEIVE A STAY FROM A DISTRICT JUDGE IF THEY WISH TO APPEAL.</p>				